



### ATTACHMENT

In order for any party to participate in an overbid procedure, the Trustee requests that the parties comply with the following provisions:

a. Each party (including the proposed buyer) must be present either physically or telephonically at the hearing on the sale motion or represented by an individual or individuals with the authority to participate in the overbid process;

b. Each party participating in the overbid process (except for the proposed buyer) must have at the hearing on the sale motion a deposit in cash or a cashier's check made payable to the **Jerry Namba, Chapter 7 Trustee**, in the amount of \$12,500.00 (which amount the proposed buyer has paid to the Trustee). The \$12,500.00 deposit shall not be refundable if such party is the successful bidder and is thereafter unable to complete the purchase of the estate's interest in Creekside Avocados;

c. The bidding shall begin at \$26,000.00 with overbids being made in minimal increments of \$1,000.00; and

d. Each party (including the proposed buyer) must pay the full amount of the successful bid to the Trustee within 14 days from the date of entry of an order granting the sale motion. In the event that the proposed buyer is not the successful bidder, the successful bidder shall then become the buyer under the same terms and conditions as set forth in the sale motion. Furthermore, if the successful bidder cannot deliver the balance of the sale price within the above-referenced period, the Trustee shall be authorized to accept the offer made by the next highest bidder and the successful bidder's deposit shall be non-refundable.